

State of South Dakota

SEVENTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 1999

357C0703

SENATE BILL NO. 201

Introduced by: Senators Bogue, Albers, Benson, Dennert, Dunn (Rebecca), Duxbury, Flowers, Hainje, Ham, Hutmacher, Kloucek, Lange, Lawler, Madden, Moore, Olson, Reedy, and Shoener and Representatives Brown (Jarvis), Apa, Broderick, Crisp, Diedrich (Larry), Fiegen, Fitzgerald, Garnos, Hennies, Hunt, Klaudt, Lintz, McIntyre, McNenny, Monroe, Napoli, Pummel, Wetz, Wudel, and Young

1 FOR AN ACT ENTITLED, An Act to exempt certain transfers of property used exclusively for
2 agricultural purposes from the inheritance tax.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. No property transferred from a decedent to any lineal issue of the decedent is
5 subject to the provisions of chapter 10-40 if the property transferred is agricultural land, defined
6 pursuant to § 10-6-31.3, operated by the decedent or lineal issue of the decedent or if the
7 property transferred is personal property used exclusively for agricultural purposes by the
8 decedent or lineal issue of the decedent. Lineal issue of the decedent includes any other person
9 with the rights of lineal issue as provided in subdivision 10-40-21(1).

10 Section 2. The transfer of property pursuant to section 1 of this Act does not reduce the
11 exemption allowable pursuant to subdivision 10-40-23(3) with regard to the taxation of any
12 other property inherited from the same decedent by lineal issue or any other person with the
13 rights of lineal issue as provided in subdivision 10-40-21(1).

14 Section 3. The provisions of this Act do not apply to any inheritance that results from the

1 death of a decedent prior to July 1, 1999.